

Docket No.: NC 34628  
Harrington & Smith, LLP Docket No.: 871.0115.U1(US)

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter, which is claimed and for which a patent is sought on the invention entitled:

**APPARATUS AND METHOD FOR CELL SELECTION IN HIGH RATE PACKET  
DATA SYSTEMS**

the specification of which:

(check one) ☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as U.S. Application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

☐ was described and claimed in PCT International Application Number \_\_\_\_\_ filed on \_\_\_\_\_ and

☐ as amended under PCT Article 19 on \_\_\_\_\_ (if any) and/or

☐ as amended under PCT Article 34 as published in the Annex(es) to the International Preliminary Examination Report (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate(s) listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Mon/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §119(e) of the United States provisional patent application(s) listed below:

(Application Serial No.)

(Filing Date)

I hereby claim benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.)

(Filing Date)

(Status)

**POWER OF ATTORNEY:** As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith:

Brian T. Rivers	41,270
Steven Shaw	39,368
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And all attorneys associated with Customer No.: **29,683**

**SEND CORRESPONDENCE TO:**

**Customer No. 29,683**

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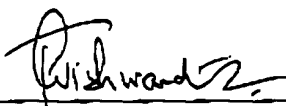
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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FULL NAME OF INVENTOR:	LAST NAME Vishwanath	FIRST NAME T.G.	MIDDLE NAME
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RESIDENCE & CITIZENSHIP:	CITY & STATE OR COUNTRY San Diego, California	CITIZENSHIP India
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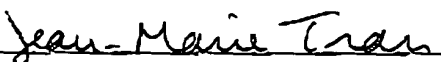
Signature  Date 9/29/2003

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FULL NAME OF INVENTOR:	LAST NAME Tran	FIRST NAME Jean-Marie	MIDDLE NAME
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